

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
Eastern Division**

Gerald A. Berry,

Plaintiff,

vs.

**John E. Potter, Postmaster General of
the United States Postal Service and
American Postal Workers Union and American
Postal Workers Union Local 7011,**

Defendants.

Case No. 07C6282

Judge Der-Yeghiayan

**NOTICE OF MOTION OF
THE AMERICAN POSTAL WORKERS UNION LOCAL 7011 AND
THE AMERICAN POSTAL WORKERS UNION**

TO: Michael T. Smith
Michael T. Smith & Associates
440 West Irving Park
Roselle, IL 60172

Gary D. Abrams
Law Offices of Gary D. Abrams & Associates
55 West Monroe Street
12th Floor
Chicago, IL 60603

PLEASE TAKE NOTICE THAT on Thursday, May 22, 2008, at 9:00 a.m., I shall appear before Honorable Judge Der-Yeghiayan in Courtroom 1903, usually occupied by him, at the United States District Court Northern District of Illinois, Eastern Division, 219 South Dearborn Street, Chicago, Illinois 60604, and then and there present the Defendants', the American Postal Workers Union and the American Postal Workers Union, Local 7011's Motion to Dismiss, or in the alternative, for Summary Judgment and their Memorandum in Support and a proposed judgment order.

/s/Anton Hajjar
One of plaintiffs' attorneys
O'Donnell, Schwartz & Anderson, P.C.
1300 L Street, NW

Suite 1200
Washington, DC 20005
(202) 898-1707
May 19, 2008

CERTIFICATE OF SERVICE

I hereby certify that I have on this 19th of May I caused the following people to be served by the Court's electronic case filing system with an electronic copy of the foregoing Notice of Motion of the American Postal Workers Union, AFL-CIO and the American Postal Workers Union, Local 7011:

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Date: May 19, 2008

/s/ Anton Hajjar
Anton Hajjar